

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re THE RESERVE FUND SECURITIES AND  
DERIVATIVE LITIGATION

09 MD. 2011 (PGG)

In re THE RESERVE PRIMARY FUND  
SECURITIES & DERIVATIVE CLASS ACTION  
LITIGATION

08 Civ. 8060 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

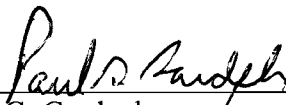
Defendants' motion to dismiss is GRANTED as to Plaintiffs' claims under (1) Section 13(a) of the Investment Company Act; (2) Section 36(b) of the Investment Company Act; (3) state law; and (4) Section 11 of the Securities Act of 1933 as against Reserve Management Company, Inc. only. Defendant's motion to dismiss is otherwise DENIED.

The reasons for these rulings will be explained in a forthcoming written opinion.

The Clerk of the Court is directed to terminate the motion. (08-CV-8060, Docket No. 66).

Dated: New York, New York  
September 30, 2012

SO ORDERED.

  
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Paul G. Gardephe  
United States District Judge